

Application No. 10/630,292
Amendment dated August 26, 2005
Reply to Office Action of August 2, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 3 and 6. The change to Figure 3 adds reference number for the opening 95. The change to Figure 6 adds reference number 135 for the wall. The amendments to the drawings do not add any new matter, as all the amendments are supported by the original specification, claims, and drawings.

Attachment: Replacement Sheet

Second Replacement Sheet

Annotated Sheets Showing Changes

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REMARKS

Status Of Application

Claims 3, 9-13, 16, 17, and 19-30 are pending in the application; the status of the claims is as follows:

Allowable Subject Matter

The allowance of claims 11-13, 16, 17, 19, and 27-29, by the Examiner, is noted with appreciation.

The objection to claims 21-24, 26, and 30 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is noted with appreciation.

Claims 21-24, 26, and 30 have not been rewritten in independent form because contrary to the Office Action, the independent base claim is allowable.

Claims 31-39 are newly added.

No New Matter

This Amendment corrects certain typographical errors and corrects certain reference numbers. No new matter is added by the amendments to the specification, claims and drawings. Claims 31-38 are supported by paragraph 16. Claim 39 is supported by the disclosure.

35 U.S.C. § 102(b) Rejection

The rejection of claims 3, 9, 10, 20, and 25 under 35 U.S.C. § 102(b) as being anticipated by the U.S. Patent No. 5,758,725 to Streetman (“Streetman”), is respectfully traversed based on the following.

In order to be anticipatory, a reference must show all the elements of the claimed invention(s). Claim 3 requires a plunger useful for plunger lift production procedures. Plunger lift operations are described in the application, see paragraph 19 and 34 for example. In a plunger lift operation, the plunger serves as a piston. It is driven to the surface by built up gas pressure, when it is driven to the surface, it carries fluid on top of the plunger to the surface. Streetman does not disclose a plunger for use in plunger lift operations. Streetman's plunger is dropped down the well and recovered by a wire line tool. Streetman's plunger is not designed to be removed by built up gas pressure in the well. Thus, claim 3 is not anticipated.

Claim 9 requires an interface section (for example, see Figure 12). Streetman does not disclose an interface section. Element 59 of Streetman is a retention member (Col. 3, ll. 56-57). Claim 10 depends upon claim 9. Thus, neither claim 9 or 10 is anticipated by Streetman.

Claim 20 requires in part that the "body portion defining said receptacle being dimensioned such that it can pass through a stop at the bottom of a tubing string". Streetman does not disclose a plunger which includes a receptacle dimensioned to pass through a stop. Thus, claim 20 is not anticipated.

Claim 25 requires that the plunger has portions of reduced diameter which are along the side of the plunger which can receive treatment chemicals, as illustrated for example in Figures 10 and 11 of the application. Thus, claim 25 is not anticipated by Streetman which only shows openings in the top and bottom of the plunger.

Accordingly, it is respectfully requested that the rejection of claims 3, 9, 10, 20, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,758,725 to Streetman ("Streetman"), be reconsidered and withdrawn.

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CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment increases the number of independent claims by 1 from 9 to 10 and increases the total number of claims by 9 from 20 to 29, but does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$650.00 to be charged to Hitchcock Evert LLP's firm credit card (a credit card payment form is enclosed). However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Hitchcock Evert LLP's Deposit Account No. 503374.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Hitchcock Evert LLP's Deposit Account No. 503374. Any refund should be credited to the same account.

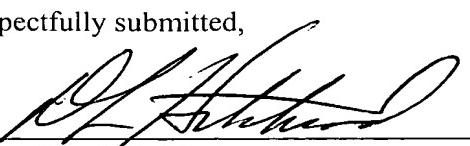
If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Hitchcock Evert LLP's Deposit Account No. 503374. Any refund should be credited to the same account.

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Respectfully submitted,

By:



David L. Hitchcock
Registration No. 30,067
Attorney for Applicant

DLH/mhg
Hitchcock Evert LLP
P.O. Box 131709
Dallas, Texas 75313-1709
Direct: (214) 953-1111 (ext. 61)
Facsimile: (214) 953-1121
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Annotated Sheet

2/4

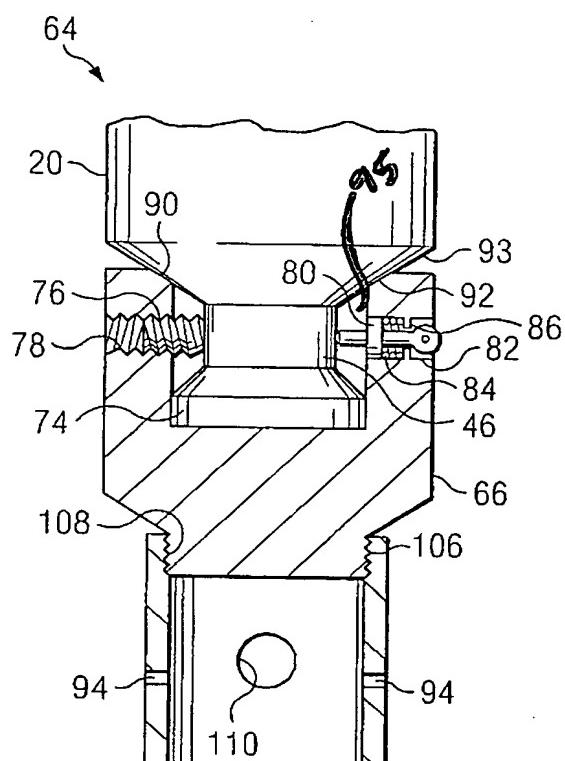


FIG. 3

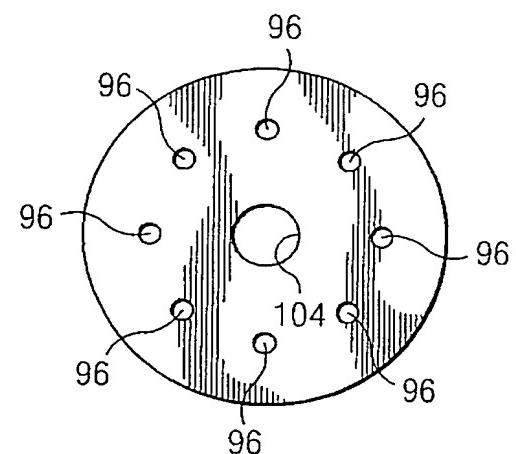


FIG. 4

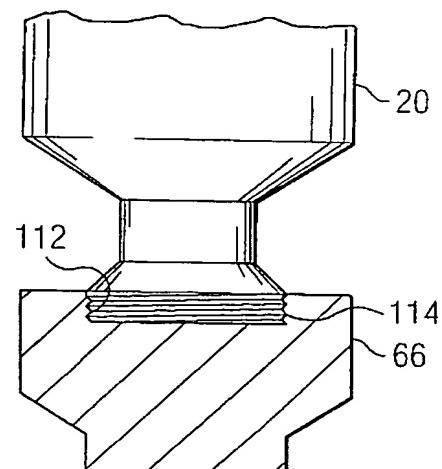


FIG. 5

Annotated Sheet

3/4

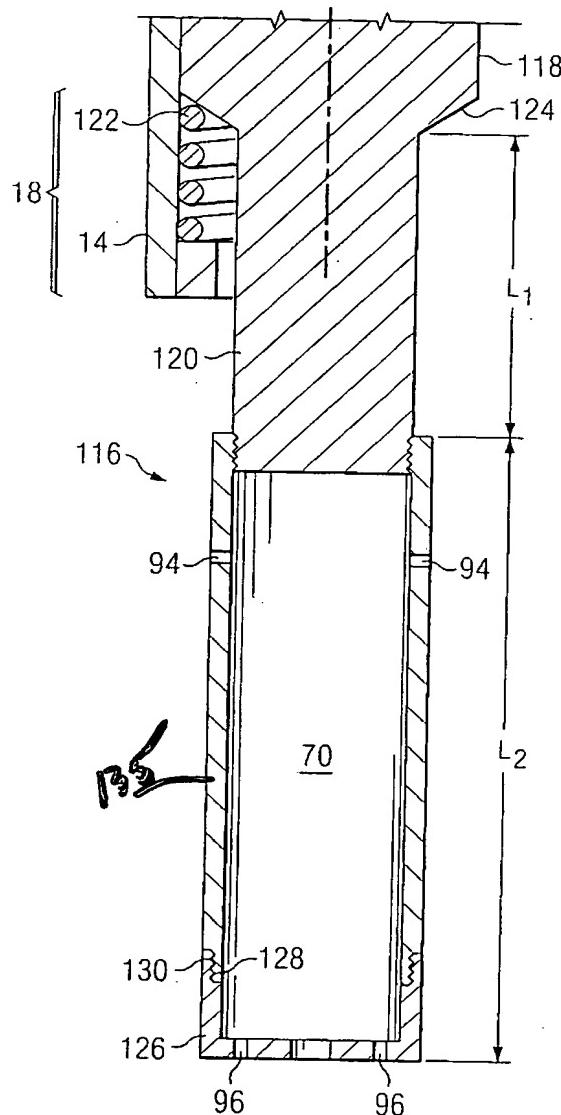


FIG. 6

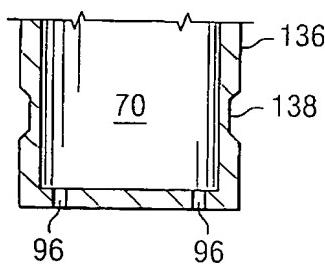


FIG. 7

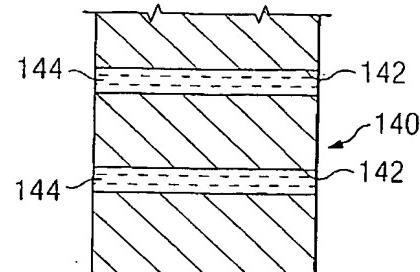


FIG. 8

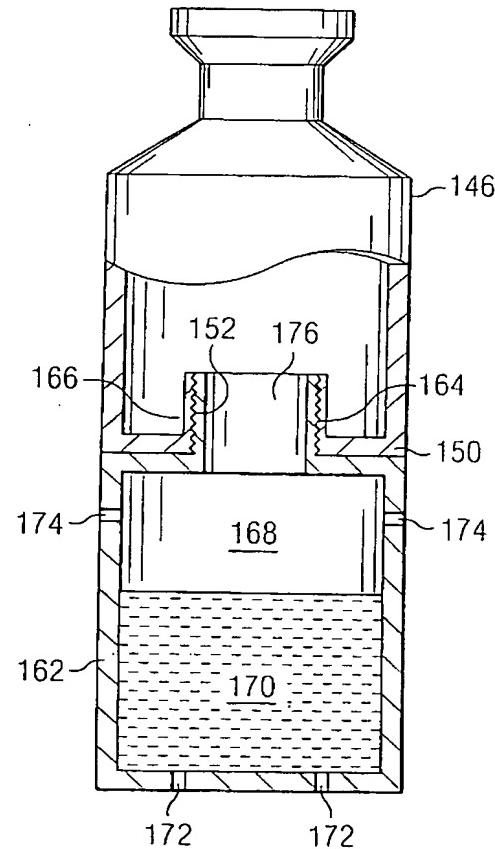


FIG. 9